



COUNCIL ASSEMBLY
(ORDINARY MEETING)

MINUTES of the OPEN section of the meeting of the COUNCIL ASSEMBLY –
ORDINARY MEETING held on WEDNESDAY 26th MARCH 2003 at 7.00 P.M. at the
Town Hall, Peckham Road, London SE5 8UB

PRESENT:

The Worshipful the Mayor Councillor Denise Capstick

Councillor Margaret Ambrose	Councillor Eliza Mann
Councillor Alfred Banya	Councillor Abdul Mohamed
Councillor Michael Barnard	Councillor Kenny Mizzi
Councillor Beverley Bassom	Councillor Alison Moise
Councillor Paul Bates	Councillor Catriona Moore
Councillor Columba Blango	Councillor Vicky Naish
Councillor Catherine Bowman	Councillor Graham Neale
Councillor David Bradbury	Councillor Gavin O'Brien
Councillor Fiona Colley	Councillor Dr. Abdur-Rahman Olayiwola
Councillor Dora Dixon-Fyle	Councillor Michelle Pearce
Councillor Toby Eckersley	Councillor Caroline Pidgeon
Councillor Stephen Flannery	Councillor Richard Porter
Councillor John Friary	Councillor Mark Pursey
Councillor Norma Gibbes	Councillor Lisa Rajan
Councillor Mark Glover	Councillor Lewis Robinson
Councillor Aubyn Graham	Councillor William Rowe
Councillor James Gurling	Councillor Andrew Simmons
Councillor Barrie Hargrove	Councillor Tayo Situ
Councillor Alun Hayes	Councillor Robert Smeath
Councillor Jeffrey Hook	Councillor Charlie Smith
Councillor David Hubber	Councillor Bob Skelly
Councillor Kim Humphreys	Councillor Nick Stanton
Councillor Jonathan Hunt	Councillor Richard Thomas
Councillor Peter John	Councillor Dominic Thorncroft
Councillor Billy Kayada	Councillor Veronica Ward
Councillor Paul Kyriacou	Councillor Neil Watson
Councillor Jelil Ladipo	Councillor Sarah Welfare
Councillor Lorraine Lauder	Councillor Ian Wingfield
Councillor Danny McCarthy	Councillor Anne Yates
Councillor Dermot McInerney	Councillor Lorraine Zuleta
Councillor Linda Manchester	

72. PRELIMINARY BUSINESS

72.1 ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE EXECUTIVE AND CHIEF EXECUTIVE

The Mayor encouraged all Members to attend her Charity Ball scheduled to take place on April 25th 2003.

The Mayor reported former Mayor Mike Geater and Councillor Tony Ritchie were both in poor health. She extended the best wishes of the Council to them.

The Mayor reported the death of Ann Keane, the first Chair of the Elephant Links Partnership.

Councillors Danny McCarthy, Ian Wingfield, Aubyn Graham and Vicky Naish all paid tribute to the contributions made by Ann Keane to public life in Southwark.

All present observed a one-minute silence in memory of Ann Keane.

The Deputy Mayor announced the Mayor had been granted the Freedom of the City of London.

Councillor Richard Porter made a brief statement about a meeting he had attended of the Strategic Goal Group chaired by the Metropolitan Police Borough Commander. The Group had been set up following the commencement of hostilities in Iraq to monitor any negative effects on the Borough's diverse communities. Thus far, no incidents of hate crime had been reported to the Police.

72.2 NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT

The Mayor agreed to accept the following items as late and urgent for the reasons set out in the report:

- Item 75.1 Deputation Request from THK World Entertainment Ltd. – Comments of the Strategic Director of Regeneration
- Item 79. Motions Submitted in Accordance with Council Procedure Rule 3.9 : Supplemental Report to Motion 79.1.

72.3 DISCLOSURE OF INTEREST AND DISPENSATIONS

Councillor Stephen Flannery declared a personal prejudicial interest in Item 79.10 as a paid Voluntary Sector Worker.

72.4 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Tony Ritchie. Apologies for lateness were received on behalf of Councillor Norma Gibbes.

73. MINUTES

RESOLVED: That the open Minutes of the Council Assembly meeting held on 24th February 2003 be agreed as a correct record and signed by the Mayor.

74. QUESTIONS FROM THE PUBLIC SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.6 (see page 1695)

The answer to one public question was circulated on green paper. The member of the public in attendance at the meeting (Patrick Yorke) asked a supplementary question of the Executive Member for Environment and Transport. The question and answer is attached as Appendix I to these minutes.

The Mayor announced that the 56 minutes remaining for public question time would be added to the 30 minutes allowed for Members Questions Time.

75. DEPUTATION REQUESTS

75.1 THK WORLD ENTERTAINMENT LTD (see pages 1696 – 1698)

Council Assembly agreed to accept a deputation from THK World Entertainment Ltd.

Members were addressed by the deputation's spokesperson Mr Raymond Stevenson, following which Councillors Jonathan Hunt, Columba Blango, Dora Dixon-Fyle , Vicky Naish, Michelle Pearce and Aubyn Graham asked questions.

The Mayor concluded by thanking the deputation for attending and inviting its members to withdraw to the Public Gallery.

75.2 BROKEN RAINBOW FORUM (see pages 1699 to 1702)

Council Assembly agreed to accept a deputation from the Broken Rainbow Forum.

Members were addressed by the deputation's spokesperson Ms Caroline Jones, following which Councillors Paul Bates, Alfred Banya, Richard Porter, Alison Moise, Alun Hayes and Richard Porter asked questions.

The Mayor concluded by thanking the deputation for attending and inviting its members to withdraw to the Public Gallery.

At this juncture the Mayor altered the order of business to consider a motion on the issues raised by the deputation. Please see item 79.12 elsewhere on the agenda.

76. QUESTIONS FROM MEMBERS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.8 (see pages 1703 -1708 and yellow papers circulated at the meeting)

Twenty nine questions were submitted and answers were circulated around the chamber on yellow paper. Within the fifty-six minutes allowed all questions except Question 18 were addressed and supplemental questions were asked on all other questions except 6, 12 and 23. A copy of questions and answers are attached as Appendix II to these minutes.

Councillor Naish questioned the accuracy of the printed answer to Question 1. Council Assembly agreed to ask Officers to provide her with further details regarding the composition of the answers.

77. REPORTS FROM THE EXECUTIVE – REPORTS FOR RECOMMENDATION

77.1 DRAFT COMMUNITY STRATEGY (see pages 1709 – 1738)

In accordance with Council Procedure Rule 3.10(1), Councillor Nick Stanton presented the report.

Councillor Kim Humphreys, seconded by Councillor Lewis Robinson, moved Amendment A.

Following debate (Councillor Caroline Pidgeon and Barrie Hargrove), a Council Procedure Rule 1.14(j) Motion Without Notice 'that the question be now put' was moved and seconded, put to the vote and declared to be carried. Amendment A was then voted upon and declared to be lost.

In accordance with Council Procedure Rule 1.17(3) the following Members requested that their vote in favour of Amendment A be recorded: Councillors David Bradbury, Toby Eckersley, Kim Humphreys, Kenny Mizzi, Lewis Robinson, and William Rowe.

Amendment B was moved by Councillor Toby Eckersley and seconded by Councillor William Rowe. Following debate (Councillor Nick Stanton) the amendment was put to the vote and declared to be lost.

Following debate (Councillor John Friary), the substantive motion was put to the vote and declared to be carried.

In accordance with Council Procedure Rule 1.17(3) the following Member requested that their vote in abstention to the substantive motion be recorded: Councillor Toby Eckersley.

- RESOLVED:** 1. That the revised Community Strategy be endorsed.
2. That the process for reviewing the Strategy during 2003/04 and the particular role of the Southwark Alliance be noted.

77.2 ASSOCIATION OF LONDON GOVERNMENT TRANSPORT AND ENVIRONMENT COMMITTEE VARIATION TO s101 AGREEMENT TO FACILITATE ROADSIDE VEHICLE EMISSION TESTING AND ENFORCEMENT
(see pages 1739 – 1749)

In accordance with Council Procedure Rule 3.10(1), Councillor Richard Thomas presented the report.

- RESOLVED:** That the Council's testing powers be delegated to the Association of London Government through the variation of the section 101 AL Transport and Environment Committee (TEC) agreement.

REPORTS FOR INFORMATION

77.3 MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 – COMPREHENSIVE PERFORMANCE ASSESSMENT (see pages 1750 - 1751)

- RESOLVED:** That the report be noted.

78 OTHER REPORTS

78.1 RECRUITMENT OF TWO INDEPENDENT MEMBERS TO THE STANDARDS COMMITTEE (see pages 1752-1754)

- RESOLVED:** That the number of Independent members on the Standards Committee be increased from three to four.

78.2 APPOINTMENT OF TRUSTEES TO THE BOROUGH MARKET SOUTHWARK (see pages 1755 - 1767)

In accordance with Council Procedure Rule 1.17(3) the following Member requested that his vote in abstention to the motion be recorded: Councillor Kim Humphreys.

- RESOLVED:** 1. That the following persons be appointed as Wardens of the Corporation of Wardens for terms from Easter Tuesday 22 April 2003 until Easter Monday 12 April 2004
- Mrs Georgina (Dena) Domminey - Warden of Great Account (and chair of the Corporation) (reappointment)
- Mr Eric Tucker - Renter Warden (reappointment)
Mr Stephen Kerbel - College Warden (reappointment)
- Lady (Shireen) Chantler - Bell Warden (reappointment)
- Ms Katharine Willis - Newcomen Warden (new appointment)
2. That the following persons be appointed as Appointed Trustees of the Borough Market, Southwark for the periods indicated:
- The Very Rev. Colin Slee to the casual vacancy expiring on 31 March 2005 (formerly Newcomen Warden)
- Ms Annie Coleman to the casual vacancy expiring on 31 March 2006
- Ms Sharon Yeoh to the casual vacancy expiring on 31 March 2003 and to a further term from 1 April 2003 - 31 March 2007
- Mr Raymond Davern, Mr Stephen Dermody and Ms Karen Horsley to terms from 1 April 2003- 31 March 2007.
3. That the outgoing trustees be thanked for their services.

78.3 REPORT OF THE SPECIAL URGENCY PROVISION (see page 1768 – 1774)

Following debate (Councillors Toby Eckersley and Kim Humphreys), the motion was put to the vote and declared to be carried.

RESOLVED: That the schedule of Special Urgency decisions taken in accordance with Overview and Scrutiny Procedure Rule 20.1 (2) be noted.

79. MOTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 3.9 (see pages 1775 – 1788)

79.1 MOTION NO.1 – FLY-TIPPING IN SOUTHWARK (see page 1776 and Supplemental Agenda No.1)

This motion was proposed by Councillor Lisa Rajan and seconded by Councillor Gavin O'Brien.

With the consent of Council Assembly, Amendment A, proposed by Councillor Barrie Hargrove and seconded by Councillor Mark Glover was accepted by the mover.

A Council Procedure Rule 1.14(j) Motion Without Notice 'that the question be now put' was moved and seconded, put to the vote and declared to be carried. The substantive motion was then put to the vote and declared to be carried.

RESOLVED: (i) That Council notes the problem of fly-tipping in Southwark and the limited powers available to local authorities in dealing with this problem.

(ii) That Council notes further that the Environment Agency, but not Southwark Council, has the power to stop vehicles carrying spoil and to demand to see their waste transfer license.

(iii) That Council calls on the Government to give local authorities the same powers as it currently gives to the Environment Agency so that councils can effectively tackle this aspect of environmental crime.

(iv) That Council calls on the Executive to report to Council on the following:

How they would see joint working with the environment agency proceeding.

How much they estimate this would cost the Council.

From where they envisage the additional resources being found.

NOTE: The decision is referred to the Executive for consideration.

79.2 **MOTION NO.2 – HOUSING INVESTMENT PROGRAMME** (see pages 1776 – 1777)

This motion was proposed by Councillor Andy Simmons and seconded by Councillor Abdul Mohamed.

Amendment A was proposed by Councillor Beverley Bassom and seconded by Councillor Lorraine Zuleta. Following debate (Councillor Andy Simmons) the amendment was put to the meeting and declared to be lost.

The substantive motion was then put to the vote and declared to be lost.

In accordance with Council Procedure Rule 1.13(2) the Motions outlined below were deemed to have been formally moved and seconded (together with any amendments). The Mayor stated no speeches would be allowed on these items and the vote would be taken without any further discussion.

79.3 MOTION NO.3 – VOTING REFORM FOR LOCAL GOVERNMENT (see page 1777)

With the agreement of Council Assembly, this motion was withdrawn.

79.4 MOTION NO.4 – MANAGING SICKNESS ABSENCE (see pages 1777 – 1779)

This motion was proposed by Councillor Kenny Mizzi and seconded by Councillor Lewis Robinson.

With the consent of Council Assembly, Amendment A proposed by Councillor James Gurling and seconded by Councillor Nick Stanton and Amendment B proposed by Councillor Andy Simmons and seconded by Councillor Alison Moise were accepted by the mover of the motion.

The substantive motion was put to the vote and declared to be carried.

RESOLVED: (i) That in light of the Council’s poor record in managing sickness absence, Council Assembly notes; that sickness absence has been monitored regularly by the Executive in the quarterly performance management reports; that in consequence of the Executive’s concern at the rate of sickness absence revealed in the quarterly reports a specific report was called for and delivered recommending a range of further management actions; that at the Executive meeting of March 8th a further examination into the rate of long-term sickness was requested by the Executive.

(ii) That Council Assembly agrees that the good health of staff and regular attendance as contracted are prime objectives and welcomes the management action to promote these objectives, but also calls for a report on managing sickness absence to be submitted to the Finance and General Purposes Scrutiny Sub-Committee”

NOTE: The decision is referred to the Overview and Scrutiny Committee for consideration.

79.5 MOTION NO.5 – OVERSPEND IN THE COMMUNICATIONS AND CUSTOMER RELATIONS BUDGET (see page 1779)

This motion was proposed by Councillor Toby Eckersley and seconded by Councillor William Rowe.

An amendment proposed by Councillor James Gurling and seconded by Councillor Lorraine Zuleta was put to the meeting and declared to be lost.

RESOLVED: That Council Assembly regrets the overspend on communications and customer relations of £150,000 in 2002/03, as reported in the Budget papers to Council Assembly on 24th February (page 1673), and instructs the Chief Executive to circulate to all members as soon as practicable (and in any event no later than 25 April 2003) a report on why this was allowed to arise; who was responsible; what was the money spent on; what steps are being taken to prevent a repetition, and other relevant information.

79.6 MOTION NO.6 – ABOLITION OF THE LOCAL AUTHORITY SOCIAL HOUSING GRANT (see pages 1779 – 1780)

This motion was proposed by Councillor Kim Humphreys and seconded by Councillor Toby Eckersley.

With the consent of Council Assembly, Amendment A proposed by Councillor Beverley Bassom and seconded by Councillor Nick Stanton and Amendment B proposed by Councillor Michelle Pearce and seconded by Councillor Abdul Mohamed were accepted by the mover of the motion.

The substantive motion was put to the vote and declared to be carried.

RESOLVED: That Council Assembly notes the transitional arrangements for Local Authority Social Housing Grant and asks the Executive to receive a report on the implications of “Sustainable Communities Building for the Future” including any financial implications for the future housing capital programme.”

79.7 MOTION NO.7 - MOTION NO.7 – REVIEW OF COUNCIL PROCEDURE RULES (See pages 1780 – 1781)

This motion was proposed by Councillor David Bradbury and seconded by Councillor Kim Humphreys.

The motion was put to the vote and declared to be carried.

RESOLVED: That this Council is concerned at the constitutional and probity implications of voting in Council Assembly without opportunity for debate (and in particular without opportunity for speech by the mover) and requests Standards Committee review Procedure Rules in respect of this, and other procedural matters where change has been suggested, in good time for consideration by all Members of its recommendations well before the May 2003 Constitutional Meeting of Council Assembly, with a view to facilitating an informal discussion on that occasion.

NOTE: The decision is referred to the Standards Committee for consideration.

79.8 **MOTION NO.8 – SCRUTINY OF THE IMPLEMENTATION OF THE ICT AND CORPORATE CALL CENTRE PROJECTS** (see pages 1781 – 1782)

This motion was proposed by Councillor William Rowe and seconded by Councillor James Gurling.

An amendment proposed by Councillor James Gurling and seconded by Councillor Stephen Flannery was put to the meeting and declared to be lost.

The substantive motion was put to the vote and declared to be carried.

RESOLVED: (i) That Council notes that the substantial investment in ICT and in the Corporate Call Centre approved in the 2003/04 budget are major financial commitments and have the power, if well planned and implemented, to improve the Council's service delivery and efficiency. Council also notes that if these developments are not well planned and implemented they could result in service failures, inefficiency and huge waste of resource.

(ii) That Council therefore requests the Executive to instruct Officers to produce a clear programme of detailed timely and regular scrutiny by both Executive and Scrutiny members of the planning, specification, business redesign and implementation of the key elements of the ICT and Corporate Call Centre projects.

NOTE: The decision is referred to the Executive for consideration.

79.9 **MOTION NO.9 – COUNCIL TAX** (see pages 1782 – 1783)

This motion was proposed by Councillor Caroline Pidgeon and seconded by Councillor Mark Pursey.

With the consent of Council Assembly, Amendment A proposed by Councillor Kim Humphreys and seconded by Councillor William Rowe was accepted by the mover of the motion.

RESOLVED: (i) That Council Condemns Mayor Ken Livingstone's demand for a 97p per week increase to the average Council Tax bill, supported by Labour GLA members, despite strong opposition from the London Assembly Liberal Democrats.

(ii) That Council notes that since Mayor Livingstone took office, his demand on the precept has doubled, but there are no clear signs that he has delivered value for this extra money.

(iii) That Council expresses the wish that this money will be reflected in better public services including extra police to make boroughs like Southwark a safer place and continued improvement in South London's public transport.

79.10 MOTION NO.10 – SOUTHWARK'S COMPACT WITH THE VOLUNTARY SECTOR
(see pages 1783 – 1784)

This motion was withdrawn and Council Assembly agreed that it be considered at its next meeting.

79.11 MOTION NO.11 – NEW SECONDARY SCHOOL IN EAST DULWICH/NUNHEAD AREA
(see pages 1784 – 1787)

This motion was proposed by Councillor Robert Smeath and seconded by Councillor Sarah Welfare.

The substantive motion was put to the vote and declared to be carried.

RESOLVED: That Council Assembly agrees to receive a report on the results of the feasibility study investigating options for a new Secondary School in the East Dulwich/Nunhead area, prior to its consideration by the Executive.

79.12 MOTION NO.12 – SAME SEX DOMESTIC VIOLENCE (see pages 1787 – 1788)

This motion was proposed by Councillor Paul Bates and seconded by Councillor Sarah Welfare.

Following debate (Councillors David Hubber, Kenny Mizz, Richard Porter, Richard Thomas, Alison Moise) the motion was put to the meeting and declared to be carried.

RESOLVED: That Council welcomes the Government's commitment to a 'cultural change' to halt domestic violence in the UK. The announcement by the Home Secretary, the Rt.Hon David Blunkett MP, that an extra £14 million will be spent over the next three years to combat domestic violence and that tougher laws will be introduced to deal with abusers are especially welcome. However, this Council is concerned that in its announcement the Government confined its references to the majority male on female domestic violence rather than a more holistic approach to the subject. For instance, the issue of homophobic and same sex domestic violence is virtually ignored in most national debate and media coverage on the matter. Council recognises the work of Broken Rainbow Forum in trying to bring such types of domestic violence into the limelight. Council therefore agrees that in its responses to the Government's consultation exercise the Council will mention such forms of domestic violence that require equal attention.

The meeting closed at 10.13 p.m.

MAYOR:

DATED: